IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 5TH JUNE 2007 / 15TH JYAISHTA 1929

WP(C).No. 16990 of 2007(V)

PETITIONER:

K.P.MATHEW, KUZHIYENJAL HOUSE,
CHULLIYODE, NENMINI, WYANAD.

BY ADV. SRI.P.SAMSUDIN

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, GOVERNMENT SECRETARIATE,
THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, WYNAD DISTRICT,
KALPETTA.

3. THE LAND REVENUE COMMISSIONER,
THIRUVANANTHAPURAM.

4. THE ASSISTANT EXECUTIVE ENGINEER,
PWD(ROADS)DIVISION, SULTHAN BATHERI.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.16990 OF 2007

DATED THIS THE 5th DAY OF JUNE, 2007

JUDGMENT

The petitioner challenges Ext.P7 notice directing him to show cause why he should not be evicted from the property in question. According to the petitioner, although the property is government land, the petitioner had applied for assignment of the land in his favour which was rejected by Ext.P5 order of the District Collector, against which, the petitioner has filed Ext.P6 appeal before the Land Revenue Commissioner. According to the petitioner, before the Land Revenue Commissioner disposes of the appeal, it is unjust to evict the petitioner. I am not entertaining this writ petition, since Ext.P7 is only a show cause notice directing him to show cause and it would be open to the petitioner to file objections to the same. In so far as Ext.P6 is concerned since the petitioner submits that he had also moved a petition for stay, it is open to the petitioner to move the stay petition before the 3rd respondent. If the petitioner does so, the 3rd respondent shall consider the same and pass appropriate orders thereon in accordance with law.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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